UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANDREW COPELAND and LEILA
COPELAND, husband and wife, and the marital
community composed thereof,

               Plaintiffs,

        v.

ASSURANCE COMPANY OF AMERICA, a
foreign corporation,

               Defendant.

CASE NO. C04-1725RSM

ORDER ON MOTIONS FOR
OVERLENGTH BRIEFS

This matter is before the Court for consideration of defendant's overlength brief (Dkt. # 108), and plaintiffs' corresponding motion for leave to file an overlength motion (Dkt. # 109). The Court finds and rules as follows:

(1) Plaintiffs, in response to defendant's proposed motion to strike plaintiff's twelve-page motion for reconsideration, have moved for acceptance of the motion, filed October 20, 2005, as is. Local Rule 7(f) requires that a motion for leave to file an overlength motion or brief be filed three days **before** the underlying motion is due. There is no provision for requesting such leave retroactively. Accordingly, plaintiffs' motion (Dkt. # 109) is DENIED.

(2) In the interest of fairness to plaintiffs, the Court grants plaintiffs leave to file a renewed motion

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for reconsideration, which must conform to the six-page limit. Such motion must be filed within ten days of this Order, and shall be noted on the Court's calendar for the third Friday after filing. Defendant shall respond to the motion and all issues raised therein without further direction of the Court. Defendant's response and plaintiffs' reply, which shall be limited to fifteen pages each, shall be filed in accordance with Local Rule 7(d)(3).

(3) In light of this disposition of plaintiffs' motion, defendant's motion for leave to file an overlength brief and motion to strike (Dkt. # 108) is STRICKEN as moot.

DATED this 4th day of November, 2005.

RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

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